

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ronnie G. Issette, Jr

Docket No. 5:14-MJ-2426-1

Petition for Action on Probation

COMES NOW Tiffany C. Peacock, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ronnie G. Issette, Jr, who, upon an earlier plea of guilty to Driving While Impaired Level 2, in violation of 18 U.S.C. § 13, assimilating NCGS 20-138.1, was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, on May 6, 2015, to 12 months probation under the conditions adopted by the court.

On October 30, 2015, the offender submitted a urine sample that was positive for cocaine. When confronted with the results, the defendant signed an admission of drug use. As a sanction for this conduct and in an effort to deter future drug use, the court agreed to modify his probation to include a drug aftercare condition and three additional days in the custody of the Bureau of Prisons.

On March 23, 2016, the court agreed to extend the defendants supervision six months with a new expiration date of November 6, 2016.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On April 22, 2016, the defendant's state probation was violated for the same positive urine screen as this district's October 30, 2015, positive test. As a result of the violation, the defendant was ordered to serve 90 days at the Confinement in Response to Violation facility. During this time, the defendant completed a program to successfully handle triggers in the area of substance abuse, and a course in assertive thinking. The defendant was given a designation date of January 8, 2016, however, he sustained an injury which required him to wear a cast and entry to the detention center was denied. Additionally, once released from his 90 day state sentence, the defendant's three day designation was unable to be fulfilled due to the temporary suspension of designees being assigned to the Cumberland County Detention Center. The defendant has passed all urine screens since being released and will have completed Driving While Impaired treatment by October 30, 2016. As a result of the successful completion of the program, we respectfully recommend the three day designation be remitted.

The defendant is delinquent on his fine payments. He has made sporadic payments during the period of supervision and has a current balance of \$680.00. He will be unable to pay the balance in full by the case expiration date. He has agreed to pay \$25.00 per month after the term of supervision has expired.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows: The defendant's three day designation be remitted as a result of the 90 days served at the Confinement in Response to Violation facility, and that he be able to enter an agreed order for payment for any remaining balance for his fines once supervision has ended.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Tiffany C. Peacock

Tiffany C. Peacock
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: 910-354-2545
Executed On: October 28, 2016

ORDER OF THE COURT

Considered and ordered this 31st day of October, 2016, and ordered filed and made a part of the records in the above case.

Kimberly A. Swank
Kimberly A. Swank
U.S. Magistrate Judge